PREVAILED	Roll Call No. _____
FAILED	Ayes _____
WITHDRAWN	Noes _____
RULED OUT OF ORDER	

HOUSE MOTION ____

MR. SPEAKER:

I move that House Bill 1043 be amended to read as follows:

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1         Delete everything after the enacting clause and insert the following:
2         SECTION 1. IC 35-47-2-3 IS AMENDED TO READ AS
3    FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 3. (a) A person desiring
4    a license to carry a handgun shall apply:
5              (1) to the chief of police or corresponding law enforcement officer
6              of the municipality in which he resides;
7              (2) if that municipality has no such officer, or if the applicant does
8              not reside in a municipality, to the sheriff of the county in which
9              he resides after he has obtained an application form prescribed by
10             the superintendent; or
11             (3) if he is a resident of another state and has a regular place of
12             business or employment in Indiana, to the sheriff of the county in
13             which he has a regular place of business or employment.
14       (b) The law enforcement agency which accepts an application for a
15    handgun license shall collect a ten dollar ($10) application fee, five
16    dollars ($5) of which shall be refunded if the license is not issued.
17    Except as provided in subsection (g), the fee shall be:
18             (1) deposited into the law enforcement agency's firearms training
19             fund or other appropriate training activities fund; and
20             (2) used by the agency for the purpose of:
21                  (A) training law enforcement officers in the proper use of
22                  firearms or other law enforcement duties; or
23                  (B) purchasing for the law enforcement officers employed by
24                  the law enforcement agency firearms or firearm related
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1   equipment, or both.
2   The state board of accounts shall establish rules for the proper
3   accounting and expenditure of funds collected under this subsection.
4   (c) The officer to whom the application is made shall ascertain
5   concerning the applicant his name, full address, length of residence in
6   the community, whether his residence is located within the limits of
7   any city or town, occupation, place of business or employment,
8   criminal record, if any, and convictions (minor traffic offenses
9   excepted), age, race, sex, nationality, date of birth, citizenship, height,
10   weight, build, color of hair, color of eyes, scars and marks, whether the
11   applicant has previously held an Indiana license to carry a handgun
12   and, if so, the serial number of the license and year issued, whether his
13   license has ever been suspended or revoked, and if so, the year and
14   reason for the suspension or revocation, and the applicant's reason for
15   desiring a license. The officer to whom the application is made shall
16   conduct an investigation into the applicant's official records and verify
17   thereby the applicant's character and reputation, and shall in addition
18   verify for accuracy the information contained in the application, and
19   shall forward this information together with his recommendation for
20   approval or disapproval and one (1) set of legible and classifiable
21   fingerprints of the applicant to the superintendent.
22   (d) The superintendent may make whatever further investigation he
23   deems necessary. Whenever disapproval is recommended, the officer
24   to whom the application is made shall provide the superintendent and
25   the applicant with his complete and specific reasons, in writing, for the
26   recommendation of disapproval.
27   (e) If it appears to the superintendent that the applicant has a proper
28   reason for carrying a handgun and is of good character and reputation
29   and a proper person to be so licensed, he shall issue to the applicant a
30   qualified or an unlimited license to carry any handgun lawfully
31   possessed by the applicant. The original license shall be delivered to
32   the licensee. A copy shall be delivered to the officer to whom the
33   application for license was made. A copy shall be retained by the
34   superintendent for at least four (4) years. This license shall be valid for
35   a period of four (4) years from the date of issue. The license of police
36   officers, sheriffs or their deputies, and law enforcement officers of the
37   United States government who have been honorably retired by a
38   lawfully created pension board or its equivalent after twenty (20) or
39   more years of service, shall be valid for the life of such individuals.
40   However, such lifetime licenses are automatically revoked if the
41   license holder does not remain a proper person.
42   (f) A license to carry a handgun shall not be issued to any person
43   who:
44   (1) has been convicted of a felony;
45   (2) is under eighteen (18) years of age;
46   (3) is under twenty-three (23) years of age if the person has been

1 adjudicated a delinquent child for an act that would be a felony if
2 committed by an adult; ~~or~~
3 (4) has been arrested for a Class A or Class B felony, or any other
4 felony that was committed while armed with a deadly weapon or
5 that involved the use of violence, if a court has found probable
6 cause to believe that the person committed the offense charged;
7 **or**
8 **(5) has not participated in handgun safety education as**
9 **approved by the superintendent or the superintendent's**
10 **designee.**
11 In the case of an arrest under subdivision (4), a license to carry a
12 handgun may be issued to a person who has been acquitted of the
13 specific offense charged or if the charges for the specific offense are
14 dismissed. The superintendent shall prescribe all forms to be used in
15 connection with the administration of this chapter. **In addition, the**
16 **superintendent shall adopt a policy specifying the criteria for**
17 **adequate handgun safety education under subdivision (5). The**
18 **handgun safety education criteria adopted by the superintendent**
19 **should include information sufficient to advise a licensee that a**
20 **handgun can be dangerous.**
21 (g) If the law enforcement agency that charges a fee under
22 subsection (b) is a city or town law enforcement agency, the fee shall
23 be deposited in the law enforcement continuing education fund
24 established under IC 5-2-8-2.

(Reference is to HB 1043 as printed February 22, 2001.)

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Representative Smith V